

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

AUG 02 2019

Mark C. McCartt, Clerk  
U.S. DISTRICT COURT

DAREE NEW,

Plaintiff,

vs.

(1) BOARD OF COUNTY COMMISSIONERS  
FOR TULSA COUNTY,

(2) TULSA JUVENILE BUREAU;

(3) TULSA COUNTY,

(4) JUSTIN JONES, in his official capacity as  
Director of the Tulsa Juvenile Bureau;

Defendants.

Case No.

**19 CV 425 CVE - JFJ**

**NOTICE OF REMOVAL**

Defendant Board of County Commissioners for the County of Tulsa ("BOCC"), by and through their undersigned counsel, pursuant to 28 U.S.C. §§ 1331, 1367, 1441 and 1446, hereby notifies this Court it is removing the above-captioned action currently pending in the District Court of Tulsa County, Oklahoma to the United States District Court for the Northern District of Oklahoma. In support of this Notice of Removal, BOCC states as follows:

1. Plaintiff filed her Petition in the District Court for Tulsa County, Oklahoma, on July 8, 2019 (the "State Court Lawsuit"). Defendants BOCC, the Tulsa Juvenile Bureau, and Tulsa County received service of Plaintiff's Petition on about July 17, 2019. Defendant Justin Jones received service of Plaintiff's Petition on July 25, 2019. Thus, this Notice of Removal is filed with this Court within thirty (30) days of the receipt of Plaintiff's Complaint (or Petition) as required by 28 U.S.C. § 1446(b).

2. BOCC intends to file a Status Report of Removed Action within five (5) days of filing this Notice of Removal. It is currently expected that, within seven (7) days of filing this

*JFJ*

Notice of Removal, Defendants will be filing a motion requesting an additional twenty (20) days to file an answer or other responsive pleading. Pursuant to LCvR 81.2, clear and legible copies of all documents filed or served in the case are attached as follows: Plaintiff's Petition as **Exhibit 1**; a copy of the summons served upon Defendant BOCC as **Exhibit 2**; a copy of the summons served upon Defendant Tulsa Juvenile Bureau as **Exhibit 3**; a copy of the summons served upon Defendant Tulsa County as **Exhibit 4**; a copy of the summons served upon Defendant Justin Jones as **Exhibit 5**; and a copy of the Docket Sheet as **Exhibit 6**.

3. Regarding Plaintiff's "First Claim" and "Second Claim," the basis for removal to federal court is federal question jurisdiction pursuant to 28 U.S.C. § 1331.

4. Regarding Plaintiff's "Third Claim," the basis for removal to federal court is supplemental jurisdiction pursuant to 28 U.S.C. § 1367.

5. In accordance with 28 U.S.C. § 1446(d), BOCC is promptly filing a copy of this Notice of Removal with the Clerk of the District Court for Tulsa County, Oklahoma.

6. In accordance with 28 U.S.C. § 1446(d), BOCC is also giving written notice to Plaintiff by promptly serving this Notice of Removal upon Plaintiff's counsel.

7. As required by 28 U.S.C. § 1441, BOCC seeks to remove this case to the United States District Court for the Northern District of Oklahoma, which is the District Court embracing the place where the State Court Lawsuit has been filed.

#### **BASIS FOR REMOVAL**

8. Plaintiff's Petition makes claims under Title VII of the Civil Rights Act of 1964, as amended in 42 U.S.C. § 2000-2. *See* Plaintiff's Petition, **Exhibit 1** at p.2, ¶ 6. Accordingly, Plaintiff has invoked this Court's original jurisdiction on "a claim or right arising under the Constitution, treaties or laws of the United States." 28 U.S.C. §§ 1331 and 1441.

10. Venue lies in this Court because Plaintiff's action is pending in this district and division. See 28 U.S.C. § 1441(a).

11. All Defendants who have been properly joined and served join in or consent to the removal of this case to Federal Court.

WHEREFORE, BOCC respectfully requests that the above-captioned action now pending in the District Court of Tulsa County, Oklahoma, be removed to the District Court for the Northern District of Oklahoma, and that said District Court assume jurisdiction of this action and enter such other and further orders as may be necessary to accomplish the requested removal and promote the ends of justice.

Dated this 2<sup>nd</sup> day of August, 2019.

Respectfully submitted,



/s/ James G. Rea

James G. Rea, OBA # 30801

Nicholas C. Williams, OBA # 33787

Tulsa County District Attorney's Office

500 S. Denver Ave., Suite 800

Tulsa, OK 74103

[jrea@tulsacounty.org](mailto:jrea@tulsacounty.org)

[nwilliams@tulsacounty.org](mailto:nwilliams@tulsacounty.org)

(918) 596-4656

ATTORNEYS FOR DEFENDANTS, BOARD OF

COUNTY COMMISSIONERS FOR THE COUNTY OF

TULSA, OKLAHOMA, TULSA JUVENILE BUREAU, AND

JUSTIN JONES.

**CERTIFICATE OF MAILING**

I hereby certify that on this 2<sup>nd</sup> day of August, 2019, I caused a true and correct copy of this document to be placed in the United States mail, first class postage fully pre-paid, addressed to:

Daniel E. Smolen  
Lauren G. Lambright  
Smolen & Roytman  
701 S. Cincinnati Ave  
Tulsa, OK 74119



/s/ James G. Rea

James G. Rea



IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA

DISTRICT COURT  
**FILED**  
JUL - 8 2019

DAREE NEW,  
  
Plaintiff,

vs.

(1) BOARD OF COUNTY COMMISSIONERS  
FOR TULSA COUNTY;  
(2) TULSA JUVENILE BUREAU;  
(3) TULSA COUNTY; and,  
(4) JUSTIN JONES, in his official capacity as  
Director of the Tulsa Juvenile Bureau;  
  
Defendants.

Case No.

**W-2019-02706**

Attorney Lien Claimed

Jury Trial Demanded

**DOUG DRUMMOND**

**PETITION**

COMES NOW the Plaintiff, Daree New, by and through her attorneys of record, Daniel E. Smolen and Lauren G. Lambricht, of SMOLEN & ROYTMAN, and brings this action against Defendants for violations of her constitutionally protected rights arising out of her employment by said Defendants.

**PARTIES, JURISDICTION AND VENUE**

1. Plaintiff Daree New (hereinafter "Plaintiff") is a citizen of the United States of America and a resident of the State of Oklahoma.
2. Defendant, BOCC, is a state governmental entity with its principle place of business located in the State of Oklahoma and regularly employs more than fifteen (15) people.
3. Defendant, Tulsa Juvenile Bureau, is a state governmental entity created by Chapter 4 of the Oklahoma Juvenile Code (*see* Okla. Stat. tit. 10A, § 2-4-101) with its principle place of business located in the State of Oklahoma, and regularly employs more than fifteen (15) people.

DON NEWBERRY COURT CLERK  
2019 JUL - 8 P 4:34

Exhibit 1

4. Defendant, Tulsa County, is a state governmental entity with its principle place of business located in the State of Oklahoma and regularly employs more than fifteen (15) people.
5. Defendant Justin Jones is the director of the Tulsa Juvenile Bureau, a state governmental entity with its principle place of business located in the State of Oklahoma that regularly employs more than fifteen (15) people.
6. This is an action for damages and to secure protection of and to redress deprivation of rights secured by Title VII of the Civil Rights act of 1964, as amended 42 U.S.C §2000-2 hereinafter (“Title VII”), providing for relief against discrimination and sexual harassment in employment, retaliation and wrongful termination.
7. Plaintiff filed a charge of discrimination against the Defendants with the Equal Employment Opportunity Commission (“EEOC”) complaining of sexual harassment, gender discrimination, retaliation and termination due to her complaints about the sexual harassment as well as her gender. A Notice of Right to Sue was received by the Plaintiff and this Petition has been filed within ninety days (90) of the receipt of the Notice of Right to Sue. As such, the Plaintiff has complied fully with all exhaustion prerequisites required under Title VII.
8. Jurisdiction of the Court is proper under 25 O.S. 1301 et seq and § 706(f)(3) of Title VII, 42 U.S.C. §2000e-5(f)(3). In addition, jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331 (federal question), 28 U.S.C. §1343 (Civil Rights), and 28 U.S.C. § 1337 (Acts of Congress regulating commerce).
9. Compensatory damages are sought pursuant to 42 U.S.C. § 2000e-5(g).
10. Costs and attorney’s fees may be awarded pursuant to 42 U.S.C. § 2000e 5(g).
11. Punitive damages are sought pursuant to 42 U.S.C. § 2000e-5(g).

12. This action lies properly in Tulsa County because the Defendants conduct regular business in Tulsa County.

**FACTS COMMON TO ALL CLAIMS**

13. Plaintiff incorporates as if realleged Paragraphs 1-12.

14. Plaintiff is a female.

15. Plaintiff began her employment with Defendants on or about June 8, 2013 as a probation counselor.

16. During 2016, Plaintiff was interviewed as part of an internal investigation by Defendants into allegations of a sexually hostile work environment.

17. Plaintiff told the investigator, Clark Burbank, that she had witnessed Josh Hogan, another employee, having inappropriate sexual relations with a subordinate employee.

18. During the internal investigation done by Clark Burbank, Josh Hogan and other employees were given Plaintiff's name as the individual who originally reported the sexually hostile work environment, and were allowed to read the transcript of Plaintiff's experience.

19. Plaintiff started receiving backlash and retaliation from Josh Hogan and others in the office after she was outed as one of the witnesses.

20. Immediately after the investigation, Plaintiff was given a 45-day write up by Richard Harris, the Probation Supervisor, for allegedly transporting a juvenile from the Juvenile Center to the North Pointe offices. At the time, Harris stated to Plaintiff that he did not like that she was being written up for this as he knew other employees were doing the same without being disciplined.

21. This is the first time Plaintiff had ever received any type of discipline during her employment.

22. After the investigation was over, instead of being terminated or demoted, Josh Hogan was promoted to Probation Supervisor.

23. Prior to Josh Hogan becoming her supervisor, she had only received outstanding performance reviews.

24. After Josh Hogan took the Probation Supervisor position, Plaintiff was retaliated against and started being reprimanded for actions for which others in the same position were not.

25. Plaintiff was also ignored in the office, not included in office events, and shunned by Hogan, Benjamin, and Shonn Harold. Plaintiff noticed that Hogan, Benjamin and Harold all began calling her Ms. New when they had always previously called her Daree.

26. Josh Hogan went out of his way to find ways to discipline Plaintiff, even soliciting information from other employees and digging through old files.

27. For example, Josh Hogan and Seneca Benjamin once stated that Plaintiff had misrepresented information to an attorney in court. Hogan even threatened to charge Plaintiff with a felony for giving false information.

28. However, through her communications via email and text with that attorney, Plaintiff was able to show that she had not misrepresented information to an attorney and was not responsible for the attorney missing court.

29. Later, Plaintiff was told by Benjamin that she had to wait for his approval or another supervisor before she could leave the office on flex time. However, this was not a requirement of Ryan Boyles or other employees. Boyles and others could simply text Benjamin that they were using flex time, how much they were using, and after signing out, leave the office. Plaintiff, on the other hand, had to contact a supervisor, and if he responded, go through a long conversation to get



approval. This disparate treatment resulted in Plaintiff not getting approval to take earned flex time on multiple occasions.

30. On the morning of November 29, 2016, Hogan gave Plaintiff a letter dated October 28th, 2016 and signed by Hogan on October 29th, 2016. In a meeting with Hogan and Benjamin, Plaintiff was told that the letter was not up for discussion but it was to let her know that on December 1, 2016 (two days later) she needed to be in Shonn Harrold's office and be prepared to discuss working with Zoo officials and a trip to the Tulsa Zoo on Saturday October 1st, 2016.

31. Plaintiff was confused, as she had already discussed the October 1 trip to the Tulsa Zoo with Hogan and others on October 11th, 2016, and was told by Hogan that her actions were acceptable.

32. Nevertheless, during the meeting which occurred the next day, Plaintiff was disciplined for her actions at the zoo that were previously deemed acceptable.

33. Plaintiff was wrongfully terminated on December 2, 2016 in retaliation for participating in an investigation about a sexually hostile work environment and for reporting the events that she believed created a sexually hostile work environment.

34. Plaintiff suffered severe emotional pain and suffering from the hostile work environment and retaliatory behavior she suffered as a result of her complaints.

35. The Plaintiff believes she was treated disparately and terminated from employment based on her gender and in retaliation for her complaints about the discrimination and sexually hostile work environment.

**FIRST CLAIM FOR RELIEF:**  
**RETALIATION IN VIOLATION OF TITLE VII**

36. Plaintiff incorporates as if realleged Paragraphs 1-35.

37. By terminating the Plaintiff's employment because she engaged in protected opposition to discrimination and sexual harassment, Defendants have violated Title VII of the Civil Rights Act of 1964.

WHEREFORE, Plaintiff prays for judgment against the Defendants for:

- a. Back pay and lost benefits; front pay until normal retirement
- b. Compensatory damages for her mental anguish, pain and suffering and other non-pecuniary losses;
- c. Punitive damages for the intentional and knowing acts of discrimination committed by the Defendants' management and executives;
- d. Her attorney fees and the costs and expenses of this action;
- e. Such other relief as the Court deems just and equitable.

**SECOND CLAIM FOR RELIEF:**  
**GENDER DISCRIMINATION IN VIOLATION OF TITLE VII**

38. Plaintiff incorporates as if realleged Paragraphs 1-37.

39. By treating the Plaintiff differently than her male coworkers with respect to retaliation, discipline, and working conditions, and then firing her, the Defendants have violated Title VII of the Civil Rights Act of 1964.

WHEREFORE, Plaintiff prays for judgment against the Defendants for:

- a. Back pay and lost benefits; front pay until normal retirement
- b. Compensatory damages for her mental anguish, pain and suffering and other non-pecuniary losses;
- c. Punitive damages for the intentional and knowing acts of discrimination committed by the Defendants' management and executives;
- d. Her attorney fees and the costs and expenses of this action;
- e. Such other relief as the Court deems just and equitable.

**THIRD CLAIM FOR RELIEF**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

40. Plaintiff incorporates as if realleged Paragraphs 1-39.

41. The Defendants' actions of intentional and malicious discrimination and retaliation are extreme and outrageous and have caused severe emotional and psychological damage to the Plaintiff.

WHEREFORE, Plaintiff prays for judgment against the Defendants for:

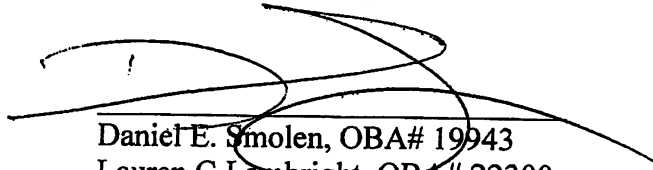
- a. Back pay and lost benefits; front pay until normal retirement
- b. Compensatory damages for her mental anguish, pain and suffering and other non-pecuniary losses;
- c. Punitive damages for the intentional and knowing acts of discrimination committed by the Defendants' management and executives;
- d. Her attorney fees and the costs and expenses of this action;
- e. Such other relief as the Court deems just and equitable.

#### **PRAYER FOR RELIEF**

WHEREFORE, based on the foregoing, Plaintiff prays that this Court grant her the relief sought including, but not limited to, actual damages in excess of Seventy-Five Thousand Dollars (\$75,000), with interest accruing from date of filing of suit, punitive damages in excess of Seventy-Five Thousand Dollars (\$75,000), back pay and lost benefits, compensatory damages for mental anguish, pain and suffering and other non-pecuniary loss, equitable relief including reinstatement if feasible, liquidated damages, reasonable attorney's fees, injunctive relief, and all other relief deemed appropriate by this Court.

Respectfully submitted,

SMOLEN & ROYTMAN



Daniel E. Smolen, OBA# 19943  
Lauren G Lambright, OBA# 22300  
701 South Cincinnati Avenue  
Tulsa, OK 74119  
P: (918) 585-2667  
F: (918) 585-2669  
*Attorneys for Plaintiff*

IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA



DAREE NEW,

Plaintiff,

vs.

(1) BOARD OF COUNTY COMMISSIONERS  
FOR TULSA COUNTY;

(2) TULSA JUVENILE BUREAU;

(3) TULSA COUNTY; and,

(4) JUSTIN JONES, in his official capacity as  
Director of the Tulsa Juvenile Bureau;

Defendants.

**CJ-2019-02700**

Attorney Lien Claimed

Jury Trial Demanded

**DOUG DRUMMOND**

ORIGINAL SUMMONS

SERVE BY U.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED DISTRICT COURT  
**FILED**

Board of County Commissioners for Tulsa County  
c/o Tulsa County Clerk  
Ray Jordan Administration Building  
500 South Denver  
Tulsa, Oklahoma 74103-3832

JUL 17 2019

DON NEWBERRY, Court Clerk  
STATE OF OKLA. TULSA COUNTY

To the above-named Defendant(s)

You have been sued by the above named plaintiff(s), and you are directed to file a written answer to the attached petition and order in the court at the above address within twenty (20) days after service of this summons upon you exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff. Unless you answer the petition within the time stated judgment will be rendered against you with costs of the action.

Issued this 8 day of 7, 2019

**DON NEWBERRY, Court Clerk**

County Court Clerk

By

Deputy Court Clerk

(Seal)

This summons and order was served on

(Signature of person serving summons)

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER  
CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE  
CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE

Exhibit 2

TIME LIMIT STATED IN THIS SUMMONS.

Return ORIGINAL for filing.

## PERSONAL SERVICE

CJ-2019-02708

I certify that I received the foregoing Summons the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that I delivered a copy of said Summons with a copy of the Petition to the following named defendant personally in \_\_\_\_\_ County, \_\_\_\_\_ at the address and on the date set forth opposite each name, to-wit:

Name of Defendant

Address

Date of Service

## USUAL PLACE OF RESIDENCE

I certify that I received the foregoing Summons on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that on \_\_\_\_\_, I served \_\_\_\_\_ by leaving a copy of said summons with a copy of the attached Petition at \_\_\_\_\_

place of abode  
fifteen (15)

Received by  
persons of \_\_\_\_\_

Fee for service  
Total \$ \_\_\_\_\_  
Dated this \_\_\_\_\_

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Board of County Commissioners for  
Tulsa County  
c/o Tulsa County Clerk  
Ray Jordan Administration Building  
500 South Denver  
Tulsa, Oklahoma 74103-3832



9590 9402 4520 8278 3838 82

2. Article Number (Transfer from service label)

7017 2620 0000 1053 2769

PS Form 3811, July 2015 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

- A. Signature \_\_\_\_\_  
X \_\_\_\_\_  
B. Received by (Print name) \_\_\_\_\_ Date of Delivery \_\_\_\_\_  
C. Agent \_\_\_\_\_ Addressee \_\_\_\_\_  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail®
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

iii Restricted Delivery

Domestic Return Receipt

I, \_\_\_\_\_  
Summons a  
affidavit so

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
My Commission Expires: \_\_\_\_\_

Seal

Notary Public

## CERTIFICATE OF SERVICE BY MAIL

I certify that I mailed copies of the foregoing summons with a copy of the Petition to the following named defendant at the address shown by certified mail, addressee only, return receipt requested, on the 12 day of July, 2019, and receipt thereof on the dates shown:

Defendant

BOCC

Address Where Served

500 S Denver  
Tulsa OK

Date Received

7/15/19

Signature of person mailing summons

IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA



DAREE NEW,

Plaintiff,

vs.

(1) BOARD OF COUNTY COMMISSIONERS  
FOR TULSA COUNTY;  
(2) TULSA JUVENILE BUREAU;  
(3) TULSA COUNTY; and,  
(4) JUSTIN JONES, in his official capacity as  
Director of the Tulsa Juvenile Bureau;

Defendants.

**Case No. 2019-02706**

Attorney Lien Claimed

Jury Trial Demanded

**DOUG DRUMMOND**

**ORIGINAL SUMMONS**

**SERVE BY U.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Tulsa Juvenile Bureau  
c/o Tulsa County Clerk  
Ray Jordan Administration Building  
500 South Denver  
Tulsa, Oklahoma 74103-3832

**DISTRICT COURT  
FILED**

**JUL 17 2019**

DON NEWBERRY, Court Clerk  
STATE OF OKLA. TULSA COUNTY

To the above-named Defendant(s)

You have been sued by the above named plaintiff(s), and you are directed to file a written answer to the attached petition and order in the court at the above address within twenty (20) days after service of this summons upon you exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff. Unless you answer the petition within the time stated judgment will be rendered against you with costs of the action.

Issued this 8 day of 7, 2019

**DON NEWBERRY, Court Clerk**

County Court Clerk

By

Deputy Court Clerk

(Seal)

This summons and order was served on

\_\_\_\_\_  
(Signature of person serving summons)

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER  
CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE  
CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE

**Exhibit 3**



TIME LIMIT STATED IN IS SUMMONS.

Return ORIGINAL for filing.

W-2019-02700

## PERSONAL SERVICE

I certify that I received the foregoing Summons the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that I delivered a copy of said Summons with a copy of the Petition to the following named defendant personally in \_\_\_\_\_ County, \_\_\_\_\_ at the address and on the date set forth opposite each name, to-wit:

Name of Defendant

Address

Date of Service

## USUAL PLACE OF RESIDENCE

I certify that I received the foregoing Summons on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that on \_\_\_\_\_, I served \_\_\_\_\_ by leaving a copy of said summons with a copy of the attached Petition at \_\_\_\_\_, which is his/her dwelling house or usual place of abode, with \_\_\_\_\_, a person then residing therein, who is fifteen (15) years of age or older.

Received this \_\_\_\_\_  
persons of the \_\_\_\_\_

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Fee for service

Total \$ \_\_\_\_\_

Dated this \_\_\_\_\_

1. Article Addressed to:  
Tulsa Juvenile Bureau  
c/o Tulsa County Clerk  
Ray Jordan Administration Building  
500 South Denver  
Tulsa, Oklahoma 74103-3832

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

Tulsa County  
Mail Room

B. Received by (Printed Name)

☒ Agent  
☐ Addressee

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

I, \_\_\_\_\_  
Summons and  
affidavit so he



9590 9402 4520 8278 3838 51

2. Article Number (Transfer from service label)

7017 2620 0000 1053 2790

## Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Delivery Restricted Delivery
- ☐ Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Subscribed to \_\_\_\_\_

My Commission Expires \_\_\_\_\_

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

Seal

Notary Public

## CERTIFICATE OF SERVICE BY MAIL

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Defendant

TJB

Address Where Served

500 S Denver

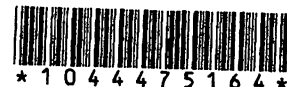
Date Received

7/15/19

Signature of person mailing summons



IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA



DAREE NEW,

Plaintiff,

vs.

(1) BOARD OF COUNTY COMMISSIONERS  
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(2) TULSA JUVENILE BUREAU;  
(3) TULSA COUNTY; and,  
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Defendants.

**CJ-2019-02708**

Case No.

Attorney Lien Claimed

Jury Trial Demanded

**DOUG DRUMMOND**

ORIGINAL SUMMONS

SERVE BY U.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Tulsa County  
c/o Tulsa County Clerk  
Ray Jordan Administration Building  
500 South Denver  
Tulsa, Oklahoma 74103-3832

DISTRICT COURT  
**FILED**

JUL 17 2019

DON NEWBERRY, Court Clerk  
STATE OF OKLA. TULSA COUNTY

To the above-named Defendant(s)

You have been sued by the above named plaintiff(s), and you are directed to file a written answer to the attached petition and order in the court at the above address within twenty (20) days after service of this summons upon you exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff. Unless you answer the petition within the time stated judgment will be rendered against you with costs of the action.

Issued this 8 day of 7, 2019

**DON NEWBERRY, Court Clerk**

County Court Clerk

By

Deputy Court Clerk

(Seal)

This summons and order was served on

\_\_\_\_\_  
(Signature of person serving summons)

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER  
CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE  
CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE

Exhibit 4

TIME LIMIT STATED IN THIS SUMMONS.

Return ORIGINAL for filing

**CV-2019-02700****PERSONAL SERVICE**

I certify that I received the foregoing Summons the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that I delivered a copy of said Summons with a copy of the Petition to the following named defendant personally in \_\_\_\_\_ County, \_\_\_\_\_ at the address and on the date set forth opposite each name, to-wit:

Name of Defendant

Address

Date of Service

**USUAL PLACE OF RESIDENCE**

I certify that I received the foregoing Summons on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that on \_\_\_\_\_, I served \_\_\_\_\_ by leaving a copy of said summons with a copy of the attached Petition at \_\_\_\_\_, which is his/her dwelling house or usual place of \_\_\_\_\_ who is \_\_\_\_\_

place of  
fifteen

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Tulsa County  
c/o Tulsa County Clerk  
Ray Jordan Administration Building  
500 South Denver  
Tulsa, Oklahoma 74103-3832

Fee for  
Total \$  
Dated



9590 9402 4520 8278 3838 68

I, \_\_\_\_\_  
Summons  
affidavit

## 2. Article Number (Transfer from service label)

7017 2620 0000 1053 2783

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature \_\_\_\_\_  
B. Received by (Printed Name) \_\_\_\_\_ Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Mail Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

My Commission Expires: \_\_\_\_\_

Seal

Notary Public

**CERTIFICATE OF SERVICE BY MAIL**

I certify that I mailed copies of the foregoing summons with a copy of the Petition to the following named defendant at the address shown by certified mail, addressee only, return receipt requested, on the 12 day of July, 2019, and receipt thereof on the dates shown:

Defendant

Tulsa County

Address Where Served

500 S Denver  
Tulsa, OK

Date Received

7/15/19

Signature of person mailing summons

IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA



DAREE NEW,

Plaintiff,

vs.

(1) BOARD OF COUNTY COMMISSIONERS  
FOR TULSA COUNTY;

(2) TULSA JUVENILE BUREAU;

(3) TULSA COUNTY; and,

(4) JUSTIN JONES, in his official capacity as  
Director of the Tulsa Juvenile Bureau;

Defendants.

Attorney Lien Claimed

Jury Trial Demanded

**DISTRICT COURT  
FILED**

JUL 25 2019

DON NEWBERRY, Court Clerk  
STATE OF OKLA. TULSA COUNTY

**DOUG DRUMMOND**

**ORIGINAL SUMMONS**

**SERVE BY U.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Justin Jones  
c/o Tulsa County Clerk  
Ray Jordan Administration Building  
500 South Denver  
Tulsa, Oklahoma 74103-3832

To the above-named Defendant(s)

You have been sued by the above named plaintiff(s), and you are directed to file a written answer to the attached petition and order in the court at the above address within twenty (20) days after service of this summons upon you exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff. Unless you answer the petition within the time stated judgment will be rendered against you with costs of the action.

Issued this 8 day of 7, 2019

County Court Clerk **DON NEWBERRY, Court Clerk**

By

*[Signature]*  
Deputy Court Clerk

(Seal)

This summons and order was served on

\_\_\_\_\_  
(Signature of person serving summons)

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER  
CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE  
CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE

Exhibit 5

• TIME LIMIT STATED IN THIS SUMMONS.

Return ORIGINAL by filing

**CS-2019-02708**

### PERSONAL SERVICE

I certify that I received the foregoing Summons the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that I delivered a copy of said Summons with a copy of the Petition to the following named defendant personally in \_\_\_\_\_ County, \_\_\_\_\_ at the address and on the date set forth opposite each name, to-wit:

Name of Defendant

Address

Date of Service

### USUAL PLACE OF RESIDENCE

I certify that I received the foregoing Summons on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that on \_\_\_\_\_, I served \_\_\_\_\_ by leaving a copy of said summons with a copy of the attached Petition at \_\_\_\_\_, which is his/her dwelling house or usual place of

fifteen (15)

Receive persons

Fee for :

Total \$

Dated :

#### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Justin Jones

c/o Tulsa County Clerk

Ray Jordan Administration Building

500 South Denver

Tulsa, Oklahoma 74103-3832



9590 9402 4520 8278 3838 75

I, \_\_\_\_\_

Summons

affidavit

Article Number (Transfer from service label)

7017 2620 0000 1053 2776

PS Form 3811, July 2015 PSN 7530-02-000-9000

#### COMPLETE THIS SECTION ON DELIVERY

A. Signature

x **Tulsa County** Agent

B. Received by (Printed Name)

**Mail Room**

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

My Commission Expires: \_\_\_\_\_

Seal

Notary Public

### CERTIFICATE OF SERVICE BY MAIL

I certify that I mailed copies of the foregoing summons with a copy of the Petition to the following named defendant at the address shown by certified mail, addressee only, return receipt requested, on the 12th day of July, 2019, and receipt thereof on the dates shown:

Defendant

Justin Jones

Address Where Served

5005 Denver  
Tulsa - OK

Date Received

7/15/19

Signature of person mailing summons



# OKLAHOMA

## State Courts Network

The information on this page is NOT an official record. Do not rely on the correctness or completeness of this information. Verify all information with the official record keeper. The information contained in this report is provided in compliance with the Oklahoma Open Records Act, 51 O.S. 24A.1. Use of this information is governed by this act, as well as other applicable state and federal laws.

### IN THE DISTRICT COURT IN AND FOR TULSA COUNTY, OKLAHOMA

DAREE NEW,  
Plaintiff,  
v.  
TULSA COUNTY BOARD OF COMMISSIONERS,  
Defendant, and  
TULSA JUVENILE BUREAU,  
Defendant, and  
TULSA COUNTY,  
Defendant, and  
JUSTIN JONES,  
Defendant.

**No. CJ-2019-2706**  
**(Civil relief more than \$10,000: WRONGFUL**  
**TERMINATION)**

Filed: 07/08/2019

Judge: Civil Docket B

## PARTIES

JONES, JUSTIN, Defendant  
NEW, DAREE, Plaintiff  
TULSA COUNTY, Defendant  
TULSA COUNTY BOARD OF COMMISSIONERS, Defendant  
TULSA JUVENILE BUREAU, Defendant

## ATTORNEYS

### Attorney

SMOLEN, DANIEL E (Bar #19943)  
SMOLEN, SMOLEN & ROYTMAN, PLLC  
701 S. CINCINNATI AVE  
TULSA, OK 74119

### Represented Parties

NEW, DAREE

## EVENTS

None

## ISSUES

For cases filed before 1/1/2000, ancillary issues may not appear except in the docket.



Exhibit 6





**Issue # 1.** Issue: WRONGFUL TERMINATION (TERMINATE)  
 Filed By: NEW, DAREE  
 Filed Date: 07/08/2019

**Party Name****Disposition Information****Defendant:**

TULSA COUNTY BOARD OF COMMISSIONERS

**Defendant:** TULSA COUNTY**Defendant:** TULSA JUVENILE BUREAU**Defendant:** JONES, JUSTIN**DOCKET**

<b>Date</b>	<b>Code</b>	<b>Description</b>	<b>Count</b>	<b>Party</b>	<b>Amount</b>
07-08-2019	TEXT	CIVIL RELIEF MORE THAN \$10,000 INITIAL FILING.	1		
07-08-2019	TERMINATE	WRONGFUL TERMINATION			
07-08-2019	DMFE	DISPUTE MEDIATION FEE			\$ 7.00
07-08-2019	PFE1	PETITION Document Available (#1044303964)  TIFF  PDF			\$ 163.00
07-08-2019	PFE7	LAW LIBRARY FEE			\$ 6.00
07-08-2019	OCISR	OKLAHOMA COURT INFORMATION SYSTEM REVOLVING FUND			\$ 25.00
07-08-2019	OCJC	OKLAHOMA COUNCIL ON JUDICIAL COMPLAINTS REVOLVING FUND			\$ 1.55
07-08-2019	OCASA	OKLAHOMA COURT APPOINTED SPECIAL ADVOCATES			\$ 5.00
07-08-2019	SSFCHSCPC	SHERIFF'S SERVICE FEE FOR COURTHOUSE SECURITY PER BOARD OF COUNTY COMMISSIONER			\$ 10.00
07-08-2019	CCADMINCSF	COURT CLERK ADMINISTRATIVE FEE ON COURTHOUSE SECURITY PER BOARD OF COUNTY COMMISSIONER			\$ 1.00
07-08-2019	CCADMIN0155	COURT CLERK ADMINISTRATIVE FEE ON \$1.55 COLLECTION			\$ 0.16
07-08-2019	SJFIS	STATE JUDICIAL REVOLVING FUND - INTERPRETER AND TRANSLATOR SERVICES			\$ 0.45
07-08-2019	DCADMIN155	DISTRICT COURT ADMINISTRATIVE FEE ON \$1.55 COLLECTIONS			\$ 0.23
07-08-2019	DCADMIN05	DISTRICT COURT ADMINISTRATIVE FEE ON \$5 COLLECTIONS			\$ 0.75

Date	Code	Description	Count	Party	Amount
07-08-2019	DCADMINCSF	DISTRICT COURT ADMINISTRATIVE FEE ON COURTHOUSE SECURITY PER BOARD OF COUNTY COMMISSIONER			\$ 1.50
07-08-2019	CCADMIN04	COURT CLERK ADMINISTRATIVE FEE ON COLLECTIONS			\$ 0.50
07-08-2019	LTF	LENGTHY TRIAL FUND			\$ 10.00
07-08-2019	SMF	SUMMONS FEE (CLERKS FEE)-4			\$ 40.00
07-08-2019	SMIMA	SUMMONS ISSUED - MAILED BY ATTORNEY			
07-08-2019	TEXT	OCIS HAS AUTOMATICALLY ASSIGNED JUDGE CIVIL DOCKET B TO THIS CASE.			
07-08-2019	ACCOUNT	<p>RECEIPT # 2019-3965315 ON 07/08/2019.</p> <p>PAYOR: SMOLEN, SMOLEN TOTAL AMOUNT PAID: \$ 272.14.</p> <p>LINE ITEMS:</p> <p>CJ-2019-2706: \$203.00 ON AC01 CLERK FEES.</p> <p>CJ-2019-2706: \$6.00 ON AC23 LAW LIBRARY FEE CIVIL AND CRIMINAL.</p> <p>CJ-2019-2706: \$1.66 ON AC31 COURT CLERK REVOLVING FUND.</p> <p>CJ-2019-2706: \$5.00 ON AC58 OKLAHOMA COURT APPOINTED SPECIAL ADVOCATES.</p> <p>CJ-2019-2706: \$1.55 ON AC59 COUNCIL ON JUDICIAL COMPLAINTS REVOLVING FUND.</p> <p>CJ-2019-2706: \$7.00 ON AC64 DISPUTE MEDIATION FEES CIVIL ONLY.</p> <p>CJ-2019-2706: \$0.45 ON AC65 STATE JUDICIAL REVOLVING FUND, INTERPRETER SVCS.</p> <p>CJ-2019-2706: \$2.48 ON AC67 DISTRICT COURT REVOLVING FUND.</p> <p>CJ-2019-2706: \$25.00 ON AC79 OCIS REVOLVING FUND.</p> <p>CJ-2019-2706: \$10.00 ON AC81 LENGTHY TRIAL FUND.</p> <p>CJ-2019-2706: \$10.00 ON AC88 SHERIFF'S SERVICE FEE FOR COURT HOUSE SECURITY.</p>			
07-17-2019	S	<p>PARTY HAS BEEN SUCCESSFULLY SERVED. TULSA JUVENILE BUREAU / CERT MAIL / STAMPED TULSA CO MAIL RM</p> <p>Document Available (#1044475168)  TIFF  PDF</p>		TULSA JUVENILE BUREAU	
07-17-2019	S	<p>PARTY HAS BEEN SUCCESSFULLY SERVED. TULSA COUNTY / CERT MAIL / STAMPED TULSA CO MAIL RM</p> <p>Document Available (#1044475164)  TIFF  PDF</p>		TULSA COUNTY	



Date	Code	Description	Count	Party	Amount
07-17-2019	S	PARTY HAS BEEN SUCCESSFULLY SERVED. BOARD OF COUNTY COMMISSIONER / CERT MAIL/ STAMPED TULSA CO MAIL RM Document Available (#1044475160)  TIFF  PDF		TULSA COUNTY BOARD OF COMMISSIONERS	
07-25-2019	S	PARTY HAS BEEN SUCCESSFULLY SERVED. JUSTIN JONES SERVED / CERT MAIL / STAMPED / NO DEL DATE Document Available (#1044476410)  TIFF  PDF		JONES, JUSTIN	